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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/241,188	02/01/1999	MICHAEL BLANDINA	10655.7117	8363

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EXAMINER

ZURITA, JAMES H

ART UNIT	PAPER NUMBER
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3625

DATE MAILED: 09/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/241,188

Applicant(s)

BLANDINA ET AL.

Examiner

James H Zurita

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20,21 and 29-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20,21 and 29-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3 July 2004 has been entered.

Response to Amendment

By amendment of 3 July 2004, applicant amended claims 20 and 29.

Claims 20, 21, 29-35 are pending and will be examined.

Claim Rejections - 35 USC § 112

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 20, 29 and claims dependent thereon are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims refer to "key object classes" "secondary object classes" and that the "key object classes" partition the database in accordance with high-level category. The term is indefinite

because the specification does not clearly redefine the term, and applicants appear to use the term as synonyms. The reasons are stated in prior office actions.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 20, 21, 29-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over ***Schein*** et al. US 6,226,623 in view of ***Owens*** et al. (US 6,047,267).

As noted above, “key”, “key object class” “secondary object class” will be given their broadest reasonable interpretation to read on a field that serves as a reference to data, such as a customer identification number, that is used to reference customer data such as a customer’s address, telephone number, etc. A secondary object class will be interpreted to read on data related to an additional classification of data in a database. Prior art will be interpreted to read on applicants’ claims where prior art discloses one or more fields that organize data into categories. Prior art will be interpreted to read on the claims where prior art discloses the use of database fields to identify customers and customer relationships to providers of financial services.

Schein discloses a system and methods for creating and facilitating a plurality of stored value products, the system comprising:

- (a) a plurality of client systems each of said client systems being associated with at least one of the plurality of stored value products (*Schein* discloses that banks offer additional products or services and that customers may open accounts (i.e.,

Schein creates and facilitates plurality of financial products, including stored value products) see at least 4, lines 23-44). *Schein* describes a plurality of stored value products associated with a CITIBANK client system; *Schein* discloses that brokerage firms such as MERRILL LYNCH also participate in offering financial products such as CITIBANK's; *Schein* discloses that VISA CORPORATION may also use their invention (see at least Col. 6, lines 6-67, Col. 21, lines 37-63) and that various other financial institutions and networks and participants of those networks may use their invention (Col. 22, lines 4-16).

- (b) database facilitating the storage and retrieval of customer data, merchant data, and a plurality of data items (see at least, Col. 9, lines 42-47; see also references to centralized databases, Col. 10, lines 41-Col. 11, line 20);
- (c) a transaction capture module configured to receive transaction data from a point-of-sale terminal configured to [receive] accept at least one of said plurality of stored value products (see at least, Col. 10, lines 41-56; Col. 20, lines 51-67; Col. 20, lines 51-67); and
- (d) a *database server* configured to support [each of] said stored value products, to receive said transaction data from said transaction capture module, and to route said transaction data among said plurality of stored value products executing on said plurality of client systems; (see at least, Col. 9, line 62-Col. 10, line 7; see also at least references to multiple-user databases sharing of information and resources, Col. 7, lines 12-34; see references to location of various databases,

- including centralized data storage, and communication with various client systems that store and supply data to a centralized site, Col. 10, lines 41-56);
- (e) wherein each of said stored value products comprises a plurality of data items retrieved from said database (see at least, Col. 7, lines 13-33, describing service providers, financial institutions, their products, including stored-value products),
- (f) wherein each of said plurality of data items provides a function that is available to each of the plurality of stored value products [such that]; and wherein each of said plurality of stored value products is allowed to retrieve said customer data and said merchant data from said database using at least a portion of said plurality of objects (see at least, Col. 10, lines 41-56; see also at least references to profiles stored in a single repository, Col. 10, lines 28-Col. 11, line 48).

Schein discloses a report generating system in communication with a database server, wherein the report generating system is configured to assemble reports based at least in part upon said transaction data (see Col. 6, lines 53-65). *Schein* discloses an authorization server in communication with the database server and the point-of-sale terminal and wherein the point-of-sale terminal is configured to query the authorization server for transaction approvals (see at least, Col. 2, lines 7-17; Col. 22, lines 4-24; Fig. 13, Fig. 2, items 28, 46; Col. 3, lines 53-63). *Schein* discloses a plurality of data items comprising consumer information that is available to each of a plurality of stored value products (see at least, Col. 10, lines 41-56).

Schein discloses a server facilitating the operation of a plurality of stored value programs, each of said stored-value programs being associated with one of a plurality of client systems, the server comprising:

- (a) a digital computer in communication with a database maintaining consumer information, merchant information and a plurality of data items (see at least, Col. 9, line 42-Col. 10, line 7);
- (b) wherein each of said plurality of data items is configured to facilitate a particular function and to associate with each of said plurality of stored value programs (see at least, Col. 7, lines 13-33, describing service providers, financial institutions and their products), and
- (c) wherein each of said plurality of stored value programs accesses said consumer information and said merchant information via at least one of said plurality of data items (see at least, Col. 10, lines 41-56);
- (d) such that said consumer information and said merchant information is available to each of said plurality of financial products through a common interface available from the plurality of client systems. (see description of a common interface called a Global Integration Facility/GIF Col. 14, lines 36-51; see also references to client systems sending information to a centralized system, Col. 10, lines 28-65).

Schein discloses a method of facilitating financial transactions at a server, the method comprising the steps of:

- (a) selecting a first plurality of objects from a repository of objects to form a first stored value program, said first stored value program corresponding to a first

financial product and being associated with a first client system (see at least Col. 3, line 65-Col. 6, line 65 for description of the art related to forming a first stored value program and its corresponding financial product; Col. 4, lines 39-5Col. 11, lines 11-48; Col. 12, lines 21-49 describing linking of various customer accounts and financial products; see also claim 20, above);

- (b) selecting a second plurality of objects from said repository of objects to form a second stored value program, said second stored value program corresponding to a second financial product and being associated with a second client system (see at least Col. 3, line 65-Col. 6, line 65 for description of the art related to forming a first stored value program and its corresponding financial product; Col. 4, lines 39-5Col. 11, lines 11-48; Col. 12, lines 21-49 describing linking of various customer accounts and financial products); and
- (c) accessing a *database* comprising consumer information and merchant information by said first and second client systems such that said first and second stored value programs interact with said *database* via said first and second pluralities of objects, respectively, to implement said first and second financial products on said first and second client systems, respectively (see at least Col. 7, lines 13-33; Col. 10, lines 41-56; see also utilization of common reports and customer demographic information available from stored objects that are created by any client system, Col. 10, lines 66-Col. 11, line 34).
- (d) **(added 3 July 004, claim 20)** [where] an authorization server in communication with the database sever and the point-of-sale terminal, wherein the point of sale

terminal is configured to query the authorization server for transaction approvals.

See, for example, at least Fig. 10 and related text, which describes that POS that connect customers, merchants and inquiring concerning credit rating of potential customers and links to authorization engines described in Fig. 2 and related text.

- (e) **(added 3 July 004, claim 20 and 29)** [where] said plurality of objects comprising consumer information that is available to each of the plurality of stored value products and merchant information that is available o each of the plurality of stored value products. See, for example, at least Fig. 7 and related text, which describes customer information may be made available to derived objects. See also at least Col. 10, lines 41-56. Please see also rejections of claims 7 and 25 in previous Office Actions.

Schein discloses receiving a transaction request from a point of sale terminal, said transaction request corresponding to one of said financial products (see at least Col. 10, lines 41-56, Col. 15, lines 41-52; Col. 20, line 51-Col. 22, line 3).

Schein discloses determining a financial product corresponding to a transaction request at a transaction server, and further comprising a step of processing a transaction request in accordance with a first (or *nth*) plurality of data items if a transaction request corresponds to a first financial product (or *nth*). See at least, Col. 10, lines 41-Col. 12, line 49, describing the types of information available from the database. The information on the database is available for each transaction, and the transaction request is linked to a customer's products. A customer may have many

products, each product associated with an object. These data items may also be referred to as a first through nth product.

Schein discloses separating a first and second financial product based upon a key value where said key value corresponds to a business unit. (see at least, Col. 5, lines 5 -Col. 67; Col. 6, line 7-Col. 7, line 46; Col. 10, lines 41- Col. 11, line 10 describes Database Management Systems. Database systems rely on unique and non-unique keys to store and access information. A key may identify CITIBANK, see at least, or a key may identify the CMMA CITIBANK MONEY MANAGEMENT ACCOUNT, as a separate business unit, if desired).

In summary, *Schein* discusses all limitations of applicants' invention, including stored value products such as smartcards and ATM cards. Client system computers may be connected to servers via the Internet (see at least Fig. 3, and Col. 15, line 53-Col. 16, line 7, Col. 21, lines 4-36; Col. 9, lines 57-Col. 10, line 7). *Schein* mentions several types of persistent repository mechanisms, including DB2, ORACLE (Col. 9, lines 1-67; see also application, page 17, lines 16-3). *Schein* discloses that other data models and structures may be applied (see at least Col. 6, lines 7-45, profiles and data models) and points out problems that arise when several sections in one or more clients maintain application-specific data and programs (see at least Col. 6, lines 25-44).

Classes and objects are another way of modeling & data in persistent storage.

Schein **does not** use the words class and objects to specifically disclose:

...[first plurality of] objects...a first stored value program...
...objects being instances of a secondary object class derived from a key object
class...
...key object classes...secondary classes...derived from said key object
classes...

...[second plurality of] objects...
...second stored value program(s)...
...[database]... such that said first and second stored value programs... interact
with...[database]... via ... first and second pluralities of objects

As admitted by applicant, these words are found when one uses a data model called the "object-oriented" model. **Owens** discloses the use of relational databases in an object-oriented design in a multi-product on-line and Internet environment (see at least Abstract, Col. 1, lines 1-Col. 2, line 60, Col. 5, lines 36-Col. 7, line 30). **Owens** discloses a system for administering a plurality of financial resources in an object-oriented paradigm where persistent storage takes place in relational database management scheme (see at least references to SQL, the Structured Query Language that is used to access relational databases, Col. 1, lines 19-60). **Owens** describes systems and methods for a system architecture that includes relational database information may be implemented in an object-oriented paradigm (see at least Col. 5, line 35-Col. 6, line 10).

It would have been obvious to one of ordinary skill in the art of electronic-commerce to combine **Schein** and **Owens** to apply an object-oriented paradigm and describe plurality of financial products in terms of plurality of classes and plurality of objects. One of ordinary skill in the art of electronic-commerce would have been *motivated* to combine **Schein** and **Owens** to apply an object-oriented paradigm and describe plurality of financial products in terms of plurality of classes and plurality of objects for the *obvious reason* that the use of object oriented paradigm to describe data and interactions among data provides a more modern technique of how data interacts with business applications. Applying object-oriented terms permits one of ordinary skill

in the art to reuse program code (classes) by instantiating a class into one or more objects that correspond to data items retrieved and used by different sub-systems.

The information on the centralized database is available to each of the client system databases for each transaction, and the transaction request is linked to a customer's products. In an object-oriented world, a customer may create (open/add/insert or other term) one or more financial product, including stored value products, and each product may be associated with an object. This plurality of *objects* may also be referred to as a first, second, through nth product, just as the plurality of client systems may be referred to as a first client system, a second client system, etc.).

While both *Schein* and *Owens* disclose the use of databases and key fields to partition and organize databases, *Schein* and *Owens* **do not** specifically refer to "key object classes" and "secondary object classes." However, it was well known, at the time the invention was made, to partition databases and include key (index) fields to organize data. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include keys/indexes, key object classes and secondary object classes. One of ordinary skill in the art at the time the invention was made would have been *motivated* to include keys/indexes, key object classes and secondary object classes for the obvious reason that having references to data (such as keys, indexes, key object classes and secondary object classes) permits faster access of data and cuts down on wait time for customers. By cutting down search and access time, service providers may well retain customers, since customers usually do not enjoy waiting. When customers are forced to wait, customers may decide not to continue

patronizing financial service providers, and may take their business elsewhere. One might also provide for the use of Key object classes, for example, when a search has all the key fields, possibly down several levels in a hierarchy. This type of OO design also permits rapid access to data and may assist in retaining customers.

Response to Arguments

Applicant's arguments filed 3 July 2004 have been fully considered but they are not persuasive.

Concerning rejection of Claims 20, 29 and claims dependent thereon under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, Applicants arguments have been carefully and fully considered. The basis for the rejection are set forth in prior office actions.

Please note that the features that applicant argues are not present in Owens are disclosed by Schien. As noted previously, Owens was introduced to address applicant's concerns over the absence of the term object in Schein. Again:

Schein discloses applicants' invention but *does not* address issues of object-oriented analysis and design. *Owens* was first introduced in a parent application [09/105406, now abandoned]. *Owens* was re-introduced in the present application to address applicants' concern over the absence of the word *object* in *Schein*. Office Action of 12 April 2004.

Further, in response to applicant's arguments against the Owens individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208

USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Again, Examiner cites particular columns and line numbers in the references as applied to the claims for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that, in preparing responses, the applicant fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

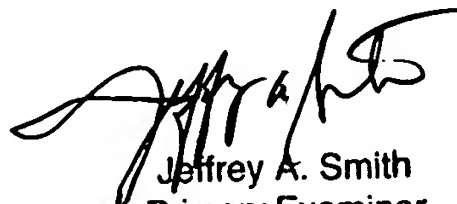
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H Zurita whose telephone number is 703-605-4966. The examiner can normally be reached on 8a-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on 703-308-3588. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jt
James Zurita
Patent Examiner
Art Unit 3625
15 September 2004


Jeffrey A. Smith
Primary Examiner